



Attorney's Docket No. 33339/206076

10-18-02

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Laurent Benbadis, et al.
Appl. No.: 09/700,687
Filed: February 14, 2001
For: MUTANT LACTOBACILLUS BULGARICUS
STRAINS FREE FROM BETA-GALACTOSIDE ACTIVITY

Confirmation No.: 8151
Group Art Unit: 1651
Examiner: Ruth Davis

Commissioner for Patents
Washington, DC 20231

October 17, 2002

TECH CENTER 1600/2900

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**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 1.191)**

Sir:

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated April 22, 2002, rejecting the following Claims 1-18.

The fee for this Notice of Appeal under 37 CFR § 1.17(b) is enclosed.

- Applicant claims small entity Status.
- A check is enclosed (\$320.00 for large entity fee or \$160.00 if small entity status).
- Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
- Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
- A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

Respectfully submitted,

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CERTIFICATE OF MAILING

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Date of Deposit: October 17, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231.

Lorna Morehead
CLT01/4559242v1

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